

**Regular Session Minutes – Selectmen’s Meeting
Selectmen’s Meeting Room, Town Hall
Tuesday February 17, 2015, 7:30 p.m.**

PRESENT: Margot R. Fleischman, Chair, William S. Moonan, Caroline Fedele, Michael A. Rosenberg, Mark Siegenthaler, and Town Manager Richard T. Reed

ALSO PRESENT: Assistant Town Manager, Jessica Porter; Finance Director, Victor Garofalo; Ben Thomas, Finance Committee; Committee Candidates Evan Deardorff and Jerry Mendenhall; Julie Turner; James Shea; Ron Richter, Tara Capobianco, Robin Steele, Mike O’Shaughnessy and Tom Mulligan, Recreation Commission; Arbor Resources Chair, Jackie Edwards; Meredith McCullough, Press Representative; Brian Dorrington, Bedford TV.

Chair Fleischman called the meeting to order at 7:30 p.m.

Chair Fleischman stated that Legna Martinez, one of the two candidates interested in serving on the Transportation Advisory Committee, was unable to attend tonight’s meeting. Ms. Martinez would return at a later date for an interview.

**15-201 Committee Appointment Interviews
Transportation Advisory Committee**

As the Selectmen liaison to the Transportation Advisory Committee (TAC), Chair Fleischman outlined the goals set forth by the Committee. TAC is charged with advising the Selectmen with all issues relating to transportation within the Town. This pertains to all modes of transportation. The Committee also deals with traffic mitigation and safety issues. Chair Fleischman asked the candidate, Evan Deardorff, to tell the Selectmen about his background and interest in TAC.

Mr. Deardorff stated that traffic safety is a major concern that has drawn him to TAC. Mr. Deardorff believes that better signage and road markings would improve traffic safety for cars as well as pedestrians. Mr. Deardorff has seen other towns make improvements in this area and would like to make the same improvements to Bedford.

At this time, Chair Fleischman explained the Open Meeting Law, the Conflict of Interest Law, and the Rules of Civil Discourse. She also encouraged Mr. Deardorff to consider taking on a leadership role as chair in the future.

Mr. Moonan made a motion to appoint Evan Deardorff to the Transportation Advisory Committee for a term ending June 30, 2015. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

**15-202 Committee Appointment Interviews
Arbor Resources Committee**

Ms. Fedele addressed the Selectmen as the liaison to the Arbor Resources Committee. Ms. Fedele stated that there was currently one position available on the Committee. The Committee is charged with enhancing the quality of life in Bedford by protecting, preserving, developing and managing arbor resources on publicly held lands and encouraging the same on private lands.

Candidate Jerry Mendenhall spoke to the Selectmen about his background and interest in serving on this Committee. Mr. Mendenhall has been working at Mt. Auburn Cemetery as a horticulturist and arborist for the past seven years. He is in responsible for grounds maintenance and beautification. Mr. Mendenhall is currently working on his Master's degree in Agronomy. Mr. Mendenhall stated that he would welcome the opportunity to give back to the Town of Bedford and the Arbor Resources Committee is a natural fit for his expertise.

Chair Fleischman confirmed with Mr. Mendenhall that he was present during the previous interview and heard the Open Meeting Law, the Conflict of Interest Law, and the Rules of Civil Discourse information.

Chair of the Arbor Resources Committee, Jackie Edwards, spoke to the Selectmen about Mr. Mendenhall and what an asset he would be to the Committee. Ms. Edwards said that Mr. Mendenhall has attended Committee meetings in the past and has been a wonderful resource.

Mr. Rosenberg made a motion to appoint Jerry Mendenhall to the Arbor Resources Committee for a term ending June 30, 2015. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

**15-203 Change of Operating Hours Request
Sgt. Fred H. Sullivan V.F.W. #1628**

Town Manager Richard Reed addressed the Selectmen stating the Sergeant Frederick H. Sullivan V.F.W. #1628 makes a request every year to open on New Year's Day. It was recommended that the V.F.W. go through the formal process to change their hours with the Alcoholic Beverages Control Commission (ABCC). Mr. Reed went on to say that there is no state or local provision preventing the V.F.W. from being open on New Year's Day.

Mr. Moonan made a motion to grant Sergeant Frederick H. Sullivan V.F.W. #1628 the request to be open on New Year's Day in the future. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

**15-204 2015 Annual Town Meeting Warrant
Article Recommendations
Final Approval
Article Assignments**

Mr. Reed presented the Selectmen with the latest version of the 2015 Annual Town Meeting Warrant. Mr. Reed stated that there were five remaining articles to review. The Selectmen could either vote to recommend approval of an article or vote to make a recommendation at Town Meeting. Mr. Reed noted that members of the Recreation Commission were present and suggested starting with Article 18 pertaining to the Operating Budget.

Chair Fleischman asked Mr. Reed to remind the Selectmen of the Finance Committee's recommendation for the Operation Budget.

Mr. Reed stated that the Finance Committee recommended approval of the Operating Budget with the provision that the Selectmen's Budget would be reduced by \$53,464, the amount over guideline. The Finance Committee further recommended that the Recreation Revolving Fund be used to support the Recreation Department's activities thus reducing the Recreation Department's budget by \$53,464. This reduction would offset the amount that the Selectmen's budget is over the guideline.

Ms. Fedele spoke to the issue of the Recreation Revolving funds balance. Ms. Fedele noted that the Recreation Commission had been holding funds in reserve to deal with improvements for Springs Brook Park. The Commission has tried a short term solution to remedy the water clarity issues there. Those short term solutions would prove too costly to sustain going forward. Ms. Fedele stated that the Commission had been holding off on other projects for the Recreation Department until Springs Brook Park got resolved. It has been determined that a long term, costly project would be needed to remedy Springs Brook Park. Ms. Fedele went on to say that the Recreation Commission would like to implement some of the projects they had been holding off on while they discuss the next step for Springs Brook Park. Ms. Fedele said the Commission would welcome a set of guidelines from the Finance Committee for a comfortable balance to maintain in the Revolving Fund.

Chair Fleischman asked what the current balance was in the Recreation Revolving Fund. Finance Director Victor Garofalo stated it was \$600,000.

A lengthy discussion ensued regarding the need for more transparency from the Recreation Commission regarding their intended use of Revolving Funds. It was also determined clearer guidelines from the Finance Committee would be useful.

Mr. Rosenberg made a motion to have recommendation for Article 18 be given at Annual Town Meeting. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

Next the Selectmen discussed Article 8 – General Bylaw Amendment – Cable Television Committee. At the Selectmen's request, Mr. Reed consulted Town Counsel regarding the proposed changes to the Bylaw. The Cable Television Committee is seeking to have greater oversight of the cable television funds. The Committee feels that having this oversight would be beneficial to the Town. The Selectmen were concerned with the phrase in the amendment that would "allow the Committee to monitor cable television funds." It is Town Counsel's opinion that this would give greater control to the Committee. Furthermore it could be construed that the Selectmen would be required to receive recommendations from the Committee prior to decision making.

Mr. Rosenberg stated that he was comfortable making the Bylaw amendment as the final decisions for the disposition of the Committee's funds would still rest with the Selectmen.

Mr. Siegenthaler countered by saying that it could set a precedent with other Committees to change their bylaws as well. Mr. Siegenthaler concluded by expressing his concern with making the amendment to the Committee's charter. Mr. Moonan, Ms. Fedele and Chair Fleischman reiterated Mr. Siegenthaler's sentiments. Chair Fleischman added that she would not be comfortable going against the advice of Town Counsel.

Mr. Moonan made a motion to recommend disapproval of Article 8 – General Bylaw Amendment – Cable Television Committee. Mr. Siegenthaler seconded the motion.

The motion passed 4-1-0. Mr. Rosenberg opposed the motion.

Article 13- Proposed FY2016 Capital Projects Plan was the next item discussed. Mr. Moonan stated that the Finance Committee was recommending approval of the Article.

Chair Fleischman had a question about Project 16-53: Street Lighting Upgrade to LED. The Town is in the process of applying for a grant to fund this project. Chair Fleischman was curious as to the timing of this particular project. Mr. Reed stated that the Town would know in advance of Town Meeting if they would be the recipient of the grant. Assistant Town Manager Jessica Porter added that the Town had to show commitment to the project as a part of the grant application process. The project would be bonded.

Mr. Rosenberg made a motion to recommend approval Article 13 – Proposed FY2016 Capital Projects Plan. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

Mr. Rosenberg made a motion to recommend approval Article 19 – Ambulance Enterprise Budget – FY2016. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

Mr. Moonan made a motion to recommend approval Article 20 – Salary Plan Additional Funding. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

Mr. Rosenberg made a motion to recommend approval the Warrant for the 2015 Annual Town Meeting. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

The Selectmen decided to assign Articles at a future meeting. Mr. Reed asked if Chair Fleischman and Mr. Moonan would present Community Preservation and Capital Budget respectively at Annual Town Meeting. Chair Fleischman and Mr. Moonan agreed to present those Articles.

Mr. Reed stated that the next Selectmen's Meeting would be on March 2, 2015.

Mr. Moonan requested to have a Public Meeting on March 2nd to discuss the number of alcohol licenses the Town would request. Mr. Reed agreed to add that to the March 2nd agenda.

Mr. Reed asked the Selectmen if they wanted to recommend approval for Article 23 – Stabilization Fund Appropriation. The Selectmen originally voted to make a recommendation at Town Meeting. The Finance Committee has met since this vote and decreased the appropriation from \$100,000 to \$50,000.

Mr. Rosenberg made a motion to recommend Article 23 – Stabilization Fund Appropriation. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

15-205

Minutes

Executive Session Minutes – December 22, 2014

Regular Session Minutes – February 3, 2015

Mr. Rosenberg made a motion to approve the Executive Session Minutes of December 22, 2014 as written. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

Mr. Rosenberg made a motion to approve the Regular Session Minutes of February 3, 2015 as amended. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

15-206

Town Manager's Report

In December, the Selectmen approved the license transfer from Dahlia's Restaurant to Holi. Upon receiving the application, the ABCC requested more financial data. The applicant gave the information to the Town Manager's office. The ABCC requested that

the Selectmen resign Form 43. Mr. Reed stated that this would not change the outcome of the transfer.

15-207 Open Discussion and Selectmen Liaison Reports

Mr. Moonan informed the Selectmen that Red Heat Tavern made a request to increase the amount of seating in its proposed site at the Bedford Marketplace.

Chair Fleischman stated that the Zoning Board of Appeals (ZBA) met the previous Thursday and there did not seem to be the number of votes needed to grant a special permit for the Red Heat Tavern. Chair Fleischman informed the Selectmen that the ZBA would be meeting again on February 26, 2015 and would hopefully be able to have this issue on its agenda. Chair Fleischman spoke to the ZBA and stated that the Selectmen approved the applications for a Common Victualers license and an All Alcohol license for the Red Heat Tavern. She went on to say that she will attend the February 26th meeting and encouraged her fellow Selectmen to lend their support for the granting of the special permit to Red Heat Tavern.

Mr. Moonan made a motion to adjourn. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

The meeting adjourned at 9:30 p.m.

Respectfully submitted

Lauren L. Sheytanian
Recording Secretary
Approved: as amended March 2, 2015

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